

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re of Application of:	DAVIS, et al.	Group Art No.:	1648
Application No.:	09/457,421	Examiner:	LE, Emily M.
Filed:	December 7, 1999		
For:	RECOMBINANT ADENOVIRUS VACCINES		
Confirmation No.:	7663		
Customer Number:	25291		

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE UNDER 37 C.F.R. §1.111**

Sir:

This is in response to the non-final Office Action mailed July 17, 2007. In order to avoid abandonment, Applicants previously filed a Notice of Appeal under 37 C.F.R. §41.31. The Notice of Appeal was received by the Office on January 17, 2008 along with a request for a 3-month extension of time and authorization to charge the requisite fees. Instead of filing an Appeal Brief within the 2-month due date of March 17, 2008 from the filing date of the Notice of Appeal, Applicants are now filing this amendment and response to the Office Action mailed July 17, 2008 along with a request for a 2-month extension of time and a request for continued examination (RCE). The response is due Saturday, May 17, 2008 with the 2-month extension of time. Since this due date falls on Saturday, the actual due date for the response is Monday, May 19, 2008. In view of the amendments and remarks presented herewith, entry of these amendments and reconsideration are respectfully requested.

**Amendments to the claims** are reflected in the listing of claims, which begins on page 2 of this submission.

**Arguments/remarks** begin on page 5 of this submission.